

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

ALTHEA SMITH,)	
)	
Plaintiff,)	
)	
vs.)	No.
)	
ICE CASTLES, LLC,)	
)	
Defendant.)	

COMPLAINT AT LAW

NOW COMES Plaintiff **ALTHEA SMITH**, by and through Counsel, Faklis, Tallis & Mead, P.C., and complains of Defendant, **ICE CASTLES, LLC**, as follows:

1. This is a civil action seeking damages against the Defendant, **ICE CASTLES, LLC** for personal injuries. The Court has jurisdiction of this action under 28 *United States Code Section 1332*.
2. The Plaintiff, **ALTHEA SMITH**, is a citizen of State of Illinois.
3. The Defendant, **ICE CASTLES, INC**, is a foreign limited liability corporation with its principal place of business located at 3731 S. Jordan Parkway South Jordan, Utah 84003 and the corporation is incorporated in the State of Vermont.
4. The matter in controversy exceeds, exclusive of interest and costs, the sum of Seventy-Five Thousand Dollars (\$75,000.00).
5. On January 22, 2021 and at all times relevant herein, Defendant, **ICE CASTLES, INC**, owned, managed, maintained, and controlled an ice slide located at Geneva National Resort, 1091 Hidden Cottage Circle, in the City of Lake Geneva, County of Walworth, and State of Wisconsin.
6. On January 22, 2021, Plaintiff, **ALTHEA SMITH**, was lawfully on the premises riding on the slide located at 1091 Hidden Cottage Circle, in the City of Lake Geneva, County of Walworth,

and State of Wisconsin.

7. At the time and place aforementioned, the Plaintiff, **ALTHEA SMITH**, was injured while riding on the ice slide when her foot was caught in the gap between the ice slide and the landing area.
8. At all relevant times herein, Defendant, **ICE CASTLES, LLC**, had a duty to exercise ordinary care to see that their property was reasonably safe for the use of those lawfully on the property, including Plaintiff.
9. At the aforementioned time and place, Defendant, **ICE CASTLES, LLC** breached their aforementioned duty in one or more of the following ways:
 - a. Allowed and permitted the use and operation of the ice slide with a gap between the end of the ice slide and the landing area when the defendant knew or should have known said gap was dangerous;
 - b. Failed to provide a cover where the ice slide meets the landing area which caused Plaintiff's foot to become caught;
 - c. Failed to instruct the plaintiff of the general safety rules for using the slide;
 - d. Failed to instruct the plaintiff on how to position her foot on the ice slide;
 - e. Failed to supervise the slide being used by the plaintiff; and,
 - f. Failed to provide instruction on how to use the slide;
10. As a direct and proximate result of one or more of the aforementioned careless and negligent acts and/or omissions of Defendants, Plaintiff, **ALTHEA SMITH**, suffered personal and pecuniary damages.
11. The Plaintiff, **ALTHEA SMITH**, demands trial by a jury.

WHEREFORE, Plaintiff, **ALTHEA SMITH**, prays for judgment against Defendant, **ICE**

CASTLES, LLC, in an amount greater than Seventy-Five Thousand Dollars (\$75,000.00),
together with his costs in bringing this suit.

Respectfully submitted,

By: /s/ Jeffrey J. Tallis
Jeffrey J. Tallis
Attorney for Plaintiff

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